

August 16, 1999

TO: Operations Managers, Claims Administration
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FROM: Jody Moran, Program Manager for Claims Administration

SUBJECT: Temporarily Medically Unable to Participate in Vocational Services

We now have a new guideline to use when we close a vocational referral because the worker is medically unstable. The guideline is effective on August 16, 1999. It is necessary to use this guideline only with private-sector vocational rehabilitation providers.

I am setting the guideline because the duration of a referral is one of the factors in the performance-based referral system used by Claims Administration. Please use the guideline when you are considering whether to end a referral due to a worker's medically unstable condition.

Temporarily Medically Unable to Participate:

Occasionally a worker is unable to participate in intervention, assessment, plan development, or plan implementation due to related or unrelated medical problems of a temporary nature. A State Fund Claim Manager (CM) can end a referral for vocational rehabilitation services when it is determined that the worker's medical condition will likely prevent him or her from participating in vocational rehabilitation for at least the next 90 consecutive days.

Scheduling, conducting, or waiting for the report of an Independent Medical Examination (IME) will not constitute a medically unstable condition for the worker, and CMs will not consider ending a referral for those reasons.

A Vocational Rehabilitation Counselor (VRC) may recommend that a CM end a referral because the worker is medically unstable.

The VRC should call the CM and explain why the worker will not likely be able to participate in vocational rehabilitation for at least the next 90 consecutive days. The VRC should be able to discuss the following information.

1. Information:

- The date when the counselor noticed that the worker will not likely be able to participate in the vocational services due to an unstable medical condition, and the medically-based estimate of the date when the worker can again participate;
- The vocational rehabilitation services that the worker may need, but cannot be performed, during this time due to his or her unstable medical condition.

2. Considerations:

- If the worker's medical condition is significant and physical limitations are severe and not expected to improve, a determination of "services not appropriate" may be in order.
- Any vocational rehabilitation services that could be performed during this time.

3. State Fund Adjudication Process: If you decide to end a vocational referral because the worker is temporarily unable to participate, then end the vocational referral with the appropriate outcome. This may mean cancellation of a referral if vocational services have not been started, or **closure** of a referral when the worker is medically unstable.

You will receive an update to you Claims Management Manual soon.

cc: Douglas Connell, Assistant Director for Insurance Services
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